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2 ISRAELI INQUIRIES CLEAR TOP LEADERS IN POLLARD AFFAIR

Cabinet Is Said to Bear Only
Technical Responsibility
for Espionage in U.S.

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Special to The New York Times

JERUSALEM, May 26 — Two Israeli Government investigations into the Israeli espionage operation in Washington cleared all of Israel's political leaders today of any knowledge of or involvement in the Pollard spy affair.

The inquiries concluded, however, that although Prime Minister Yitzhak Shamir, Foreign Minister Shimon Peres, Defense Minister Yitzhak Rabin and former Defense Minister Moshe Arens had no direct knowledge of the operation conducted by their subordinates, they bore ministerial responsibility for what happened. Mr. Peres and Mr. Shamir each served as Prime Minister during part of the period in question.

Neither committee recommended that anyone on the political or operational level be punished for what has been the most embarrassing intelligence scandal in Israel's history.

Fixing Responsibility Was Task

The basic task of the investigations had been to ascertain who authorized the operation in which Jonathan Jay Pollard, a former U.S. Navy intelligence analyst, was engaged by Israeli agents to sell them hundreds of top-secret American military documents. Mr. Pollard, who was arrested outside the Israeli Embassy in Washington on Nov. 25, 1985, was sentenced March 4 to life in prison.

The seemingly limited and understated conclusions of the two 10-week-long investigations were not expected to have immediate political ramifications in Israel, and it is not clear how they will be received in Washington.

'The Earth Did Not Move'

One investigation was conducted by Parliament's intelligence subcommittee of the Foreign Affairs and Defense Committee, led by Abba Eban, and the other by a Government-appointed team of Zvi Tzur, a former Chief of Staff, and Yehoshua Rotenstreich, a lawyer and scholar.

"The mountain was really a molehill, and the earth did not move," Prime Minister Shamir said in reaction to the investigations, which many in Israel

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Mr. Rabin brushed aside the conclusions of the Eban committee, saying that it was a political body, responsible only to Parliament, and that he had no interest in what it had to say.

In finding that the leading Cabinet ministers bore some blame for what happened, the Eban committee report said, "The Government would do well to declare in an unequivocal manner that the state of Israel admits the responsibility, and will continue to act to correct the damages."

The harshness of the sentence given to Mr. Pollard, an American Jew, and the tension it produced in Israeli-American relations prompted the public demand here for an investigation.

When the Cabinet ministers balked, Parliament's intelligence subcommittee insisted on holding its own inquiry. Then, in an apparent attempt to forestall demands for a full-fledged Government inquiry commission, which would have had subpoena powers, the Cabinet called on Mr. Tzur and Mr. Rotenstreich to do a small investigation of their own, without legal powers.

The first report issued today was that of the Tzur-Rotenstreich committee, which was delivered to Prime Minister Shamir early in the day.

Although most of its contents were still secret, Mr. Rotenstreich, who was in Zurich on the day the report was delivered, told reporters by telephone that he and his colleague had concluded that the full Cabinet "must shoulder all the responsibility" for the Pollard affair "since every minister fulfills a certain function."

But, Mr. Rotenstreich added, "There is no possibility of imposing a sanction on a particular minister."

By holding all the ministers respon-

ble, the Tzur-Rotenstreich committee had the effect of holding none of them responsible. It did single out for criticism Rafael Eitan, the head of the Defense Ministry's Bureau of Scientific Affairs, known by its Hebrew acronym Lekem, and the man who directed the Pollard operation without permission.

At 10:30 P.M. Jerusalem time, the Eban committee issued its report, after spending the last three days in seclusion trying to formulate a consensus opinion.

Publication was delayed by three hours because no photocopying machine was available. A committee member, Ehud Olmert, had to take the single copy of the report to his law office downtown and make copies. One member of the Eban committee, Yosef Burg, was not even in the country when its conclusions were drawn up, and only five of the seven were on hand when the report was issued this evening.

The key conclusion of the Eban committee, said Mr. Eban was that, "from all the accumulation of evidence that was brought before the committee by all of the witnesses who were involved with the matter indeed confirms beyond any doubt the conclusion that the operational echelon — that is the Defense Ministry' Bureau of Scientific Affairs headed by Rafi Eitan — decided to draft Pollard and send him on his missions without any checking, discussing with or receiving direct or indirect permission from the political echelon."

Praise for Previous Service

The report praised Mr. Eitan for his previous exemplary services on behalf of Israeli intelligence and said that he had been punished "in that he was removed from his job as the head of Lekem and will not again be able to work in intelligence affairs." Mr. Eitan has since been appointed chairman of Israel Chemicals, the largest state-owned company.

Besides singling out Mr. Eitan, the Eban committee also criticized Col. Aviem Sella of the Israeli Air Force, who helped to recruit and handle Mr. Pollard while he was supposedly on study leave at New York University. Mr. Eban said that, "he did not exhibit good judgment," that "his testimony was not clear, not consistent and not precise" and he did not have permission to engage in the early stages of the operation, which began around June 1984.

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